

IN THE CLAIMS

Please amend the claims as follows:

1-36. (Canceled)

37. (Currently Amended) An apparatus for determining a ~~refund~~ share of profits comprising:

accessing means for accessing content data provided by a content creator, ~~some of the~~ content data including advertising data affixed thereto, said advertising data being affixed based on commercial desired data generated in response to a selection by the content creator;

transmission means for transmitting, via a network, selected content data to one or more user locations, in response to a request from the one or more user locations for the selected content data;

calculating means for calculating a ~~refund quantity~~ share of profits to be earned by the content creator as a function of a number of transmissions of the selected content data and whether the selected content included advertising data; and

storing means for storing and accumulating the ~~refund quantity~~ share of profits for the content creator in a content creator information database; and

~~determination means for determining which of a plurality of levels of an entitled refund the refund quantity accumulated for the content creator translates to, the plurality of levels of an entitled refund including a fee credit and merchandise.~~

38. (Previously Presented) The apparatus according to claim 37, wherein the request from the one or more user locations includes an indication to include advertising data with the content data.

39. (Previously Presented) The apparatus according to claim 37, wherein the request from the one or more user locations includes an indication to exclude advertising data from the content data.

40. (Currently Amended) The apparatus according to claim 37, wherein the calculating means calculates the ~~refund quantity share of profits to be earned by the content creator~~ as a function of connection fee data.

41. (Currently Amended) The apparatus according to claim 37, wherein the calculating means calculates the ~~refund quantity share of profits to be earned by the content creator~~ as a function of use fee data.

42. (Currently Amended) The apparatus according to claim 37, wherein the calculating means calculates a credit quantity as a function of the ~~refund quantity-share of profits to be earned by the content creator~~.

43. (Previously Presented) The apparatus according to claim 42, wherein the credit quantity is applied to one or more purchases over the network.

44. (Canceled)

45. (Previously Presented) The apparatus according to claim 37, further comprising: generating means for generating content data that is accessed by the accessing means, wherein the generating means positions the advertising data at one or more particular region of the content data.

46. (Previously Presented) The apparatus according to claim 45, wherein the region is a head portion.

47. (Previously Presented) The apparatus according to claim 37, wherein the calculating means calculates a contribution quantity as a function of a contribution indication.

48. (Currently Amended) A method for determining a ~~refund~~ share of profits comprising:

accessing content data provided by a content creator, ~~some~~ of the content data including advertising data affixed thereto, said advertising data being affixed based on commercial desired data generated in response to a selection by the content creator;

transmitting, via a network, selected content data to one or more user locations, in response to a request from the one or more user locations for the selected content data;

calculating a ~~refund~~ quantity share of profits to be earned by the content creator as a function of a number of transmissions of the selected content data and whether the selected content included advertising data; and

storing and accumulating the ~~refund~~ quantity share of profits for the content creator in a content creator information database; and

~~determining which of a plurality of levels of an entitled refund the refund quantity accumulated for the content creator translates to, the plurality of levels of an entitled refund including a fee credit and merchandise.~~

49. (Previously Presented) The method according to claim 48, wherein the request from the one or more user locations includes indicating inclusion of advertising data with the content data.

50. (Previously Presented) The method according to claim 48, wherein the request from the one or more user locations includes indicating exclusion of advertising data from the content data.

51. (Currently Amended) The method according to claim 48, wherein the calculating step calculates the ~~refund quantity~~ share of profits to be earned by the content creator as a function of connection fee data.

52. (Currently Amended) The method according to claim 48, wherein the calculating step calculates the ~~refund quantity~~ share of profits to be earned by the content creator as a function of use fee data.

53. (Currently Amended) The method according to claim 48, wherein the calculating step calculates a credit quantity as a function of the ~~refund quantity~~ share of profits to be earned by the content creator.

54. (Previously Presented) The method according to claim 53, further comprising applying the credit quantity to one or more purchases over the network.

55. (Canceled)

56. (Previously Presented) The method according to claim 48, further comprising:
generating the content data that is accessed; and
positioning the advertising data at one or more particular regions of the content data.

57. (Previously Presented) The method according to claim 56, wherein the region is
a head portion.

58. (Previously Presented) The method according to claim 48, further comprising
calculating a contribution quantity as a function of a contribution indication.

59. (Currently Amended) A computer program product having a program, for
determining a refund share of profits, stored on a computer-readable medium, comprising:
program code configured to access content data provided by a content creator, some of
the content data including advertising data affixed thereto, said advertising data being affixed
based on commercial desired data generated in response to a selection by the content creator;
program code configured to transmit, via a network, selected content data to one or more
user locations, in response to a request from the one or more user locations for the selected
content data;
program code configured to calculate a refund quantity share of profits to be earned by
the content creator as a function of a number of transmissions of the selected content data and
whether the selected content included advertising data; and
program code configured to store and accumulate the refund quantity share of profits
for the content creator in a content creator information database; and

~~program code configured to determine which of a plurality of levels of an entitled refund the refund quantity accumulated for the content creator translates to, the plurality of levels of an entitled refund including a fee credit and merchandise.~~

60. (Previously Presented) The computer program product according to claim 59, wherein the request from the one or more user locations includes an indication to include advertising data with the content data.

61. (Previously Presented) The computer program product according to claim 59, wherein the request from the one or more user locations includes an indication to exclude advertising data from the content data.

62. (Currently Amended) The computer program product according to claim 59, wherein the program code configured to calculate calculates the ~~refund quantity share of profits to be earned by the content creator~~ as a function of connection fee data.

63. (Currently Amended) The computer program product according to claim 59, wherein the program code configured to calculate calculates the ~~refund quantity share of profits to be earned by the content creator~~ as a function of use fee data.

64. (Currently Amended) The computer program product according to claim 59, wherein the program code configured to calculate calculates a credit quantity as a function of the ~~refund quantity share of profits to be earned by the content creator~~.

65. (Previously Presented) The computer program product according to claim 64, further comprising program code configured to apply the credit quantity to one or more purchases over the network.

66. (Canceled)

67. (Previously Presented) The computer program product according to claim 59, further comprising:
program code configured to generate content data that is accessed,
program code configured to position the advertising data at one or more particular regions of the content data.

68. (Previously Presented) The computer program product according to claim 67, wherein the particular region is a head portion.

69. (Previously Presented) The computer program product according to claim 59, further comprising program code configured to calculate a contribution quantity as a function of a contribution indication.

70-96. (Canceled)

97. (Currently Amended) An apparatus for determining a ~~refund~~ share of profits comprising:

an accessing unit configured to access content data provided by a content creator, ~~some~~ of the content data including advertising data affixed thereto, said advertising data being affixed based on commercial desired data generated in response to a selection by the content creator;

a transmission unit configured to transmit, via a network, selected content data to one or more user locations, in response to a request from the one or more user locations for the selected content data;

a calculating unit configured to calculate ~~a refund quantity share of profits~~ to be earned by the content creator as a function of a number of transmissions of the selected content data and whether the selected content included advertising data; and

a storing unit configured to store and accumulate the ~~refund quantity share of profits~~ for the content creator in a content creator information database; and

~~a determining unit configured to determine which of a plurality of levels of an entitled refund the refund quantity accumulated for the content creator translates to, the plurality of levels of an entitled refund including a fee credit and merchandise.~~